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PATENT  
ATTORNEY DOCKET NO.: 046124-5178

THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:	)	
	)	
Katsumi SHIBAYAMA	)	Confirmation No.: 1521
	)	
Application No.: 10/668,605	)	Group Art Unit: 2811
	)	
Filed: September 24, 2003	)	Examiner: Samuel A. Gebremariam
	)	
For: PHOTODIODE ARRAY AND METHOD	)	
OF MAKING THE SAME	)	

Commissioner for Patents  
U.S. Patent and Trademark Office  
2011 South Clark Place  
Customer Window  
Crystal Plaza Two, Lobby, Room 1B03  
Arlington, VA 22202

Sir:

**INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(b)**

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(b), Applicant brings to the attention of the Examiner the documents listed on the attached PTO Form-1449. To the best of the undersigned's knowledge, this Information Disclosure Statement is being filed before the mailing date of a first Office Action on the merits for the above-referenced application.

Applicant respectfully requests that the Examiner consider cited references and evidence that consideration by making appropriate notations on the attached form.

Relevance of any non-English documents can be ascertained from the attached English language abstracts, as indicated on the attached PTO Form 1449.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute "prior art." If it should be determined that any of the listed documents do not

constitute "prior art" under United States law, Applicant reserves the right to present to the office the relevant facts and law regarding the appropriate status of such document.

Applicant further reserves the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

**Except** for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. § 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account No. 50-0310. This paragraph is intended to be a **CONSTRUCTIVE PETITION FOR EXTENSION OF TIME** in accordance with 37 C.F.R. § 1.136(a)(3).

Respectfully submitted,

**MORGAN, LEWIS & BOCKIUS LLP**



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John G. Smith

Registration No. 33,818

Dated: September 1, 2004

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<b>INFORMATION DISCLOSURE CITATION</b> (Use several sheets if necessary)  <b>PTO Form 1449</b>				Attorney Docket No.: 046124-5178		Application No.: 10/668,605	
				Applicant(s): Katsumi SHIBAYAMA			
				Page 1 of 1			
				Filing Date: September 24, 2003		Group: 2811	
<b>U.S. PATENT DOCUMENTS</b>							
Examiner Initial		Document Number	Date	Name	Class	Sub Class	Filing Date
<b>FOREIGN PATENT DOCUMENTS</b>							
		Document Number	Date	Country	Class	Sub Class	Translation Yes      No
		JP 05-029483	February 5, 1993	Japan			Abstract
		JP 06-177201	June 24, 1994	Japan			Abstract
		JP 02-039569	February 8, 1990	Japan			Abstract
<b>OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)</b>							
<b>Examiner</b>					<b>Date Considered</b>		
<b>Examiner:</b> Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication.							